

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
February 17, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: , B. Chandy, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan,
Members absent: J. Goodwin (Chairman)
Alternates present: V. Ward, S. Westa
Alternates absent: P. Aho
Staff Present: Linda Painter, Director of Planning and Development

Vice Chair Ryan called the meeting to order at 7:28 p.m., appointing alternate Ward to act in the absence of J. Goodwin.

Minutes:

- a. 2-3-15 Meeting Minutes –R. Hall MOVED and V. Ward seconded to approve the 2-3-2015 meeting minutes as presented. MOTION PASSED UNANIMOUSLY with the exception of B. Pociask who was disqualified. K. Holt noted for the record that she listened to the audio.

Zoning Agents Report:

There were no questions or comments on the Zoning Agent's report.

Public Hearing

The hearing was opened at 7:29 p.m. This hearing was continued from January 20, 2015.

R. Hall MOVED, P. Plante seconded to continue the public hearing on the resubdivision application of Christopher and Lindsey Niarhakos (File 293-2), 101 East Road, Williams Heights subdivision to March 16, 2015. MOTION PASSED UNANIMOUSLY.

Old Business:

a. New Subdivision Application, 140 Codfish Falls Road, S. Guyette, PZC File 1329 –

B. Pociask recused himself from consideration of this item and Westa was seated in his place.

R. Hall MOVED, K. Rawn seconded to approve with conditions the subdivision application (File #1329) of Steven Guyette on property owned by Elaine Guyette located on Codfish Falls Road in an RAR-90 zone, as submitted to the Commission and shown on plans dated September 25, 2014 and revised through January 27, 2015 and as presented at meetings on January 20, 2015 and February 3, 2015.

Pursuant to Sections 7.5 and 7.6 of the Subdivision Regulations, this approval accepts the applicants proposed lot layout and hereby authorizes the necessary reductions to frontage (Lots 2 and 3) and accepts the setbacks as depicted through the proposed Building Area Envelopes (Lots 1, 2 and 3). Furthermore, pursuant to Section 7.10 of the Subdivision Regulations, this approval accepts the use of a common driveway to serve Lots 1, 2 and 3 and the adjacent property at 144 Codfish Falls Road. The use of a common driveway in this location and the associated frontage reductions significantly reduce the impacts to wetlands that would be incurred if a cul-de-sac street were to be required.

This approval is granted because the application as hereby approved is considered to be in compliance with the Mansfield Zoning and Subdivision Regulations and is granted with the following conditions:

1. **Frontage and Setback Reductions.** The approved reductions in frontage shall be specifically noted on the plans and on the deeds of the affected and abutting lots. Unless the Commission specifically authorizes revisions, the depicted building and development area envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be specifically noticed on the Land Records.
2. **Common Driveway.** No lots within the subdivision shall be transferred until the common driveway is completed and accepted by the Town of Mansfield or a financial guarantee in an amount approved by the Assistant Town Engineer and Director of Planning and Development has been accepted. Prior to acceptance of the common driveway or approval of a financial guarantee, a common driveway easement that addresses maintenance and liability issues must be approved by the PZC Chair with assistance from staff and the Town attorney and recorded on the land records. This condition shall be noted on the plans and specifically noticed on the Land Records.

The amount of the financial guarantee must cover the estimated cost of remaining construction plus 15% contingency. The financial guarantee must comply with the requirements of Article VI, Section C of the Zoning Regulations and shall include an appropriate signed agreement approved by the PZC Chair with staff assistance. Use of a surety bond to fulfill this condition will require special approval from the Commission. To address this condition, the applicant shall submit a construction cost estimate at the time a financial guarantee is proposed.

No Certificates of Compliance for new homes shall be issued until the common driveway has been completed and accepted by the town.

3. **Erosion and Sedimentation Controls.** Prior to the commencement of any site work, erosion and sedimentation control measures shall be installed pursuant to the approved plan. Bi-weekly erosion and sedimentation-monitoring reports shall be submitted to the Zoning Agent and Wetlands Agent until all site work is completed and disturbed areas are stabilized.
4. **Conservation Easement.** This approval accepts the voluntary dedication of a conservation easement along Codfish Falls Road as well as a potential conservation easement dedication on Lot 3 should that lot be transferred in the future for any monetary consideration. Easement documents based on the Town's model format shall be approved by the Director of Planning and Development and Town Attorney. The easement documents for Lot 1 shall be executed and filed on the Land Records in association with final plans and incorporated in the deed for Lot 1. The requirement for future dedication of a conservation easement on Lot 3 shall be specifically noticed on the Land Records.
5. **Certificate of Title.** All deeds and easements must be covered by a certificate of title indicating that there are no encumbrances or stating what encumbrances there are and providing a partial release or subordination agreement.
6. **Plan Revisions.** Final plans shall be revised to:
 - a. Add a note indicating that any new regulated activity in the upland review area or in the wetlands or watercourse will require the owner to obtain a license from the Inland Wetlands Agency as required by the Mansfield Inland Wetlands and Watercourses Regulations.
 - b. Add a note stating that no future work shall occur within 100 feet of the vernal pool.

- c. Add detailed specifications for the portion of the driveway that is immediately proximate to the wetland that requires construction using small diameter stone to allow for water infiltration during storm events and to reduce siltation.
 - d. Add a drainage easement for the tributary to Fishers Brook.
 - e. Add a note encouraging the use of rain gardens to address runoff from new houses and site improvements.
7. **Extent of Approval.** The Planning and Zoning Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety or one hundred and eighty-day filing extension has been granted):
- a. All final maps shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
 - b. All monumentation with Surveyor's Certificate shall be completed pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

MOTION PASSED UNANIMOUSLY.

Pociask rejoined the Commission and Westa was no longer seated.

Prior to consideration of additional items under old business, Plante requested that an item be added to new business.

P. Plante MOVED, V. Ward seconded to add a draft motion regarding future grant applications to the agenda under New Business for discussion. MOTION PASSED UNANIMOUSLY.

b. Re-Subdivision Application, 101 East Road, C. & L. Niarhakos, PZC File #293-2;

Item tabled pending 3-16-15 continued public hearing.

c. Request for Modification, Whispering Glen, 73 Meadowbrook Road, Uniglobe Investment LLC, PZC File #1284-2

Painter distributed an updated report dated 2/17/15 containing an overview of the changes the applicant had made to the plans based on staff recommendations and a suggested motion for the Commission's consideration. Mark Comeau, project architect; Brian Kent, landscape architect; and Scott Garrison, owner; responded to questions from the Commission regarding various changes including the need for coordination between the landscaping plan and final site plan. B. Pociask and P. Plante inquired as to whether the applicant would consider using LED lighting; the team indicated that they would be willing to consider that type of lighting. G. Lewis questioned the revised landscape plan, expressing concern regarding creating a dense wall of vegetation along the sidewalk. B. Kent indicated that while the landscaping would be extensive, it included different species at different heights with staggered planting to avoid creating a wall effect. There were several questions regarding the adequacy of the proposed parking for the project and construction of the sidewalk connection to Sunny Acres Park. Painter noted that the original approval conditions for the project would remain in effect, which included limiting the number of vehicles per unit in each lease and completion of the sidewalk prior to the issuance of any certificates of compliance for units in phase 2 of the project.

R. Hall departed the meeting at 8:34 p.m.; Westa was seated in his place.

B. Chandy MOVED, P. Plante seconded to approve the January 12, 2015 Request for Modifications from Uniglobe Investment LLC for the development of 50 apartments on property located at 73 Meadowbrook Lane. This approval is based upon the plan dated January 15, 2015 and modifications to sheets 1, 3, 4, 5, 6, 7, 10 and 11 submitted via email to the Director of Planning and Development on February 13, 2015. This modification is granted because there is no change in the number of dwelling units and the changes to the site plan reduce the visual impact of the project on Meadowbrook Lane. This approval is conditioned upon the following:

1. The site plan set shall be revised to address the following to the satisfaction of the Director of Planning and Development, Town Engineer and Inland Wetlands Agent:
 - a. Updated plans shall address issues identified in the 2/17/15 report from the Town Engineer and the submission of updated drainage calculations recommended in the 2/12/15 report from the Director of Planning and Development. If addressing these items results in changes to the design of the stormwater retention pond, such changes shall be reviewed and approved by the Chair of the Commission and Zoning Agent unless it is determined that the changes are significant enough to warrant review by the Commission as a whole.
 - b. Parking spaces shall be dimensioned to ensure consistency with state requirements for handicap accessible spaces and town requirements for standard spaces.
 - c. Erosion and Sedimentation Control plans and details shall be updated pursuant to the recommendations of the Inland Wetlands Agent and Town Engineer.
 - d. A minimum of ten units shall be designated and marketed as "affordable."
2. Landscape plans shall be revised to address the following issues to the satisfaction of the Director of Planning and Development:
 - a. Coordinate landscape plans with site and engineering plans to ensure that there are no conflicts between utilities and stormwater elements and landscaping.
 - b. Where feasible, replace non-native with native species (such as the dwarf Japanese Juniper) if a similar effect can be achieved.
 - c. Increase the amount of landscape screening along Meadowbrook Lane to ensure sufficient screening of the rear of buildings and minimize gaps due to size of initial plantings.
 - d. Adjust plantings at the driveway entrance as needed to ensure that sufficient visibility for both oncoming vehicles and pedestrians on the adjacent sidewalk are maintained.

Prior to issuance of Zoning Permits, full sets of floorplans and elevations for each building will need to be submitted. Elevations for the sides of units which face onto Meadowbrook Lane or interior driveways shall be articulated with windows.

MOTION PASSED UNANIMOUSLY.

New Business:

a. Motion to require Commission approval of future grant applications

P. Plante distributed a draft motion that would require Commission approval of future grant applications related to Commission work prior to submission. After discussion, Plante withdrew the suggested motion. No action was taken.

Mansfield Tomorrow:

a. Public Hearing Scheduled for Monday, March 2, 2015 at 7:00 p.m.

No further action taken.

b. Town Council Request for Extension of Comment Period

K. Holt MOVED, V. Ward seconded to extend the comment period on the draft Mansfield Tomorrow Plan of Conservation and Development to April 6, 2015. MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

a. Chairman's Report - No comments offered

b. Regional Planning Commission – Painter noted that CRCOG was considering having their March meeting in Mansfield.

c. Regulatory Review Committee – Members are currently meeting as part of the Zoning Focus Group. Painter noted that the next meeting would be on February 23rd and that the group would start reviewing draft regulations.

d. Planning and Development Director's Report – Painter noted that the presentation of the draft NextGen CT Impact Study report was scheduled for March 9th.

Communications and Bills:

Noted.

Adjournment:

The meeting was adjourned at 9:11 p.m. by the Chairman.

Respectfully submitted,

Kay Holt, Secretary